

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

LLOYD T. SCHUENKE,

Plaintiff,

v.

ORDER

09-cv-441-bbc

WISCONSIN DEPARTMENT OF
CORRECTIONS; RICK RAEMISCH,
Secretary of the Wisconsin Department
of Corrections; JANE/JOHN DOE,
Deputy Secretary of the Wisconsin Department
of Corrections; JOHN DOES, Corrections
Complaint Examiner for the Wisconsin
Department of Corrections; JANE DOES,
Corrections Complaint Examiner for the
Wisconsin Department of Corrections;
JACKSON CORRECTIONAL INSTITUTION;
RANDALL R. HEPP, Warden of Jackson
Correctional Institution; CARI TAYLOR,
Deputy Warden of Jackson Correctional
Institution; MARK OLSON, Security
Director of Jackson Correctional Institution;
JODI DOUGHERTY, Inmate Complaint
Examiner at Jackson Correctional Institution;
YOLANDA ST. GERMAINE, Inmate
Complaint Examiner at Jackson Correctional
Institution; JOHN DOES Correctional Officers at
Jackson Correctional Institution; JANE DOES,
Correctional Officers at Jackson Correctional
Institution; JOHN DOES, Staff Members at
Jackson Correctional Institution; JANE DOES,

Staff Members at Jackson Correctional
Institution;

Defendants.

- - - - -

Plaintiff Lloyd Schuenke a prisoner at the Jackson Correctional Institution in Black River Falls, Wisconsin, has submitted a proposed complaint. He requests leave to proceed in forma pauperis. A decision on the request will be delayed until plaintiff provides a copy of his trust fund account statement for the six-month period immediately preceding the filing of his complaint.

Plaintiff's complaint was submitted on July 4, 2009. His trust fund account statement should cover the six-month period beginning approximately January 4, 2009 and ending approximately July 4, 2009. I am aware from plaintiff's complaint that during this six-month time frame, he was incarcerated at the Dodge Correctional Institution and the Florence County Jail before being transferred to the Jackson Correctional Institution. Pursuant to 28 U.S.C. § 1915(a)(2), when a prisoner is incarcerated at one or more institutions during the six-month period immediately preceding the filing of his lawsuit, he must obtain a trust fund account statement "from the appropriate official of each prison at which [he] is or was confined" during the relevant period. Therefore, if plaintiff wishes to pursue his request to proceed in forma pauperis, he will have to write to the correctional

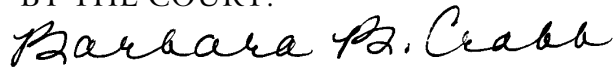
institutions in which he was confined between January 4, 2009 and July 4, 2009, to request a certified copy of his trust fund account statement for that period.

ORDER

IT IS ORDERED that plaintiff may have until August 6, 2009, in which to submit trust fund account statements beginning January 4, 2009 and ending July 4, 2009 from the institutions in which he may have been confined during this period. If, by August 6, 2009, plaintiff fails to respond to this order, I will assume that he wishes to withdraw this action voluntarily and, in that case, the clerk of court is directed to close this file without prejudice to plaintiff's filing his case at a later date.

Entered this 16th day of July, 2009.

BY THE COURT:

Handwritten signature of Barbara B. Crabb in cursive script.

BARBARA B. CRABB
District Judge